



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01746NS

Tuesday August 4, 2015

Non Streamlined International Applications/Petitions Accepted For Filing

Section 214 Applications (47 C.F.R. § 63.18); Section 310(b) Petitions

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 1-888-835-5322 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

Limitless Mobile, LLC (Limitless) and its 100 percent parent company, Limitless Mobile Holdings, LLC (LMH) (together, "Petitioners") have filed a petition for declaratory ruling ("Petition"), as modified on July 30, 2015, pursuant to section 1.990(a)(1) of the Commission's rules, 47 C.F.R. § 1.990(a)(1), that the public interest would be served by allowing foreign ownership of Limitless to exceed the 25 percent benchmark in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 310(b)(4). Petitioners state that Limitless holds Personal Communications Service (PCS) licenses in several markets in the northeastern U.S.

Limitless is a member managed Delaware limited liability company whose sole member is LMH, also a Delaware limited liability company. According to the Petition, LMH is owned by more than a dozen investors and is controlled by an investor group comprised of LMH's principal equity investors, each of which is a U.S. citizen: Richard B. Worley (25.22% equity and 25.52% voting interests, including fractional interests held by his wife (approximately 1%) and by two family trusts (each less than 2%) of which Mr. Worley serves as trustee); Sarah Miller Coulson (18.98% equity and 19.07% voting interests); and Peter Morse (11.07% equity and 11.44% voting interests, including the interest held by the Morse Charitable Foundation, Inc. (less than 1%) of which Mr. Morse serves as a director and officer).

Pursuant to section 1.991(i) of the rules, Petitioners request that the Commission specifically approve the uninsulated membership interests held by two non-U.S. citizens: Atte Miettinen, a citizen of Finland (0.430% equity and 0.452% voting interests), and James Edward Croal, a U.K. citizen (0.289% equity and 0.141 voting interests). Messrs. Miettinen and Croal serve as LMH's Chief Executive Officer and Chief Technology Officer, respectively. As such, their membership interests are not insulated within the meaning of section 1.993 of the Commission's rules and thus require specific approval under section 1.991(i). (See also 47 C.F.R. § 1.992(b)(2)(ii)(A).) Petitioners state that aggregate foreign ownership of LMH at present is otherwise below the 25 percent amount specified in section 310(b)(4) (2.603% equity and 0.593% voting interests).

Pursuant to section 1.991(k) of the rules, Petitioners additionally seek advance approval for Messrs. Messrs. Miettinen and Croal to hold, individually and in the aggregate, up to and including ten percent of the equity and/or voting interests in LMH to account for fluctuations in ownership percentages as a result of future capital calls and to account for any additional membership units that may be issued to Mr. Miettinen in the future.

Petitioners assert that the public interest would be served by permitting foreign ownership of Limitless to exceed the 25 percent benchmark in section 310(b)(4), as described in the Petition.

Interested parties may file comments on or before August 18, 2014, and reply comments on or before August 25, 2014.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–2003.